

SUPERIOR COURT OF ARIZONA  
MARICOPA COUNTY

FC 2010-001494

02/09/2012

HONORABLE JAMES T. BLOMO

CLERK OF THE COURT  
G. Verbil  
Deputy

IN RE THE MARRIAGE OF  
JAMES V HARVEY

JAMES V HARVEY  
15230 N BLACKBIRD DR  
FOUNTAIN HILLS AZ 85268

AND

JENNIFER S HARVEY

JENNIFER S HARVEY  
P O BOX 19691  
FOUNTAIN HILLS AZ 86269

MINUTE ENTRY

Courtroom 605

3:02 p.m. This is the time set for a Return Hearing on Petitioner's Petition to Enforce Child Custody Order and Respondent's Petition to Enforce Parenting Time Order. Petitioner/Father is present, appearing on his own behalf. Respondent/Mother is present, appearing on her own behalf.

A record of the proceedings is made by audio and/or videotape in lieu of a court reporter.

James V. Harvey and Jennifer S. Harvey are sworn.

Discussion is held with the Court.

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The Court is informed that the parties reached a Full Agreement regarding parenting time at Mediation held on December 20, 2011. Such agreements are recited on the record in the presence of both parties.

Petitioner and Respondent both testify that they have heard and understood the agreement as dictated into the record, and that this is, in fact, their agreement.

THE COURT FINDS that the agreement entered into between the parties is not unfair and is reasonable and in the best interests of the parties' minor children. The Court hereby approves the same as a binding agreement pursuant to Rule 69, Arizona Rules of Family Law Procedure.

The Court is informed that the financial issues are pending since Mother's relocation back to Arizona.

**IT IS ORDERED** setting an Evidentiary Hearing on **April 25, 2012 at 1:30 p.m.** (Time allotted: 1 ½ hours) before:

**The Honorable James T. Blomo  
Central Court Building  
201 West Jefferson, Courtroom 605  
Phoenix, Arizona 85003**

The Court will reserve ten minutes from each hour of trial for preliminary matters, procedural issues, and for breaks.

Pursuant to Rule 77(C)(5), Arizona Rules of Family Law Procedure, each party will be allowed 1/2 of the available time to present all direct, cross, redirect examination and any argument. The parties are expected to complete the hearing in the allotted time, and the time will not be extended absent a motion granted by the Court and filed at least thirty (30) days prior to the hearing setting forth good cause to extend the time and specifically including a list of each and every witness who will testify and an estimate of time and subject matter of the expected testimony for each witness.

**Disclosure/Discovery**

**IT IS ORDERED** that the parties shall file the following documents five (5) business days prior to the hearing:

- a. A **Joint Pre-Hearing Statement** pursuant to Rule 76, Arizona Rules of Family Law Procedure.

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- b. A current Affidavit of Financial Circumstances completed by each party.
- c. If either party believes child support is an issue, a Parent's Worksheet for Child Support Amount completed pursuant to the Statewide Child Support Guidelines.
- d. If spousal maintenance is requested and disputed, each party shall state the amount and duration of spousal maintenance requested.
- e. If division of debts is an issue, the parties shall prepare and exchange a list of all debts, including creditor's name, amount of debt, monthly payment amount, the reason the debt was incurred, who should pay the debt, and all of the information required by A.R.S. §25-318(H).

**IT IS FURTHER ORDERED** that the failure of counsel or any party to appear at the time of hearing, or to timely present the Joint Pre-hearing Statement in proper form, including each and every attachment required, shall, in the absence of good cause shown, result in the imposition of any and all available sanctions pursuant to Rule 70(D), Arizona Rules of Family Law Procedure and Local Rules 6.2(e) and 6.9(b), including proceeding to hear this matter by default based upon the evidence presented by the appearing party.

**Exhibits**

**IT IS ORDERED** that any documents or other items intended to be submitted as exhibits at the time of the hearing shall be hand-delivered to the Clerk of this Division at least **five (5) business days prior to the hearing**. The exhibits shall be submitted with a coversheet listing the description of each exhibit and separated by a sheet of **colored** paper to easily identify where one exhibit ends and the next begins. Duplicate exhibits shall not be presented and will not be marked. **Any exhibits not submitted by noon on this date will not be accepted. The parties shall also provide the Court and the adverse party with a separate copy of all exhibits.**

**IT IS FURTHER ORDERED** that the parties shall indicate in the Joint Pre-hearing Statement which exhibits they have agreed will be admissible at hearing as well as any specific objections that will be made to any exhibit if offered at hearing which is not agreed to be admitted. Reserving all objections to the time of hearing will not be permitted. At the time of hearing all exhibits which the parties have agreed will be admitted and all exhibits for which no specific objection is stated in the Joint Pre-hearing Statement shall be summarily admitted.

**Notice**

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You may request conclusions of fact and law on the following issues, if they are contested: the issues of child custody, relocation requests, spousal maintenance, community property, community debt, and child support. To request conclusions of fact and law, you must file a written request with the court before the trial or the evidentiary hearing. If you make a written request before the trial or evidentiary hearing, the court will make conclusions of fact and law as part of the final decision.

If any party asks the court to make findings of fact and law on any issue, each party must file written proposed findings of fact and law on those issues. The proposed findings also must be submitted in an electronic form that is editable, preferably Microsoft Word. The proposed findings must be submitted with the Pretrial Statement.

**Settlement**

Counsel and the parties are reminded of their obligation to give prompt notice of any settlement to the Court as required by Rule 70, Arizona Rules of Family Law Procedure.

**NOTICE:** A child should not be brought to the Courthouse to be present during a court proceeding except in the circumstance that the child is to be interviewed by the Judge in chambers or unless the child's presence is otherwise required for the court proceeding. Whenever a child is brought to the Courthouse, it is the responsibility of the party who brings the child to arrange for appropriate care and supervision of the child outside of the courtroom and judicial offices. The duties of Court personnel do not permit them to perform this function.

**NOTE:** All Court proceedings are recorded by an audio method and not by a court reporter. Any party may request the presence of a court reporter by contacting this division three court business days before the scheduled hearing.

3:31 p.m. Matter concludes.

All parties representing themselves must keep the Court updated with address changes. A form may be downloaded at: <http://www.superiorcourt.maricopa.gov/SuperiorCourt/Self-ServiceCenter>.